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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/870,612	05/31/2001	Scott J. Broussard	AUS920010270US1	1772
35617	7590	02/25/2004	EXAMINER	
CONLEY ROSE, P.C. P.O. BOX 684908 AUSTIN, TX 78768			NGUYEN, LOAN B	
			ART UNIT	PAPER NUMBER
			2126	

DATE MAILED: 02/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/870,612

Applicant(s)

BROUSSARD, SCOTT J.

Examiner

Loan B Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09/13/2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-24 are presented for examination.
2. The copending U.S. Patent Applications cited in the specification must be updated (i.e. update the relevant status, with PTO serial numbers or patent numbers where appropriate, on page 1 line 1-15; the related applications should be so revised).

Claim Objections

3. Claim 21 is objected to under 37 CFR 1.75(c) as being in improper form because a dependent claim 21 is depended to itself. See MPEP § 608.01(n). Accordingly, the claim 21 is not been further treated on the merits. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 1-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
 - a. The following term lack antecedent basic:
 - i. The first API – Claim 1.

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- b. The claim language in the following claim is not clearly understood:
 - i. As per claim 1, line 7 it is unclear what the relationship is between API in line 4 and the first API. It is uncertain whether "the API" refers to "the first API".
 - ii. As per claim 1, line 10 the claim language "software components adapted for incorporation into an API" not clearly indicated which API was referred to (i.e. first or second API).
 - iii. As per claim 1, line 12, it is uncertain what is meant by "capable" (i.e. is the third API able or not able to perform the function?)

Claim Rejections - 35 USC § 102

- 2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

- 3. Claims 1, 4-6, 11-12, 15-17, and 22-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Lewallen (6,675,230).

- 4. As per claim 1, Lewallen teaches the invention as claimed including a display system, comprising:

a display (e.g. col. 10 line 58-65)

a processor (e.g. col. 11 line 36-40) coupled between the display and an application program interface (API) (e.g. col. 3 line 61-67) and adapted to execute code within the API during runtime of an application program (e.g. col. 4 line 7-10), wherein execution of said code by the processor generates an image upon the display, such that a look and feel (e.g. col. 4 line 10-14) of the image displayed using the first API (e.g. col. 3 line 29-34) is the same across diverse operating systems (e.g. col. 9 line 29-39), and wherein the API lacks functionality provided by a second API within a second display system (e.g. col. 3 line 35-40);

software components adapted for incorporation into an API (e.g. col. 3 line 52-67); and

a third API (e.g. col. 3 line 46-51) resulting from the incorporation of the software components into the first API (e.g. col. 3 line 29-34) and capable of providing at least some of the functionality present in the second API (e.g. col. 9 line 29-39) and absent in the first API, and retaining the look and feel (e.g. col. 4 line 10-14) consistency of the first API.

5. As per claim 4, Lewallen teaches wherein the application program runs under a standard computer operating system, such as Windows, Unix or OS/2 (e.g. col. 9 line 29-39).

6. As per claim 5, Lewallen teaches the application program is written in Java programming language (e.g. col. 4 line 7-21).

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7. As per claim 6, Lewallen teaches the first API comprises Java Swing (e.g. col. 1 line 33-45).

8. As per claim 11, Lewallen teaches wherein the image presents a consistent look and feel upon the display independent of the operating system under which the application program is running (e.g. col. 10 line 26-44).

9. As per claims 12 and 22, they are method and computer-readable storage device claims of claim 1; therefore, it is rejected for similar reasons as claim 1.

10. As per claims 15-17 and 23-24, they are method and computer-readable storage device claims of claim 4-6; therefore, they are rejected for similar reasons as claim 4-6.

11. Claims 2-3 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewallen (6,675,230) as applied to claims 1 and 12 above in view of Prinzing (6,496,202).

12. As per claim 2, Lewallen does not specifically teach the image generated comprises pixels presented upon the display via the graphical user interface associated with the application program.

Prinzing teaches the image generated comprises pixels presented upon the display via the graphical user interface associated with the application program (e.g. col. 17 line 40-44).

13. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lewallen with Prinzing because

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Prinzing's teaching of display images would improve the capability of Lewallen's system by generating the images with pixels and displaying the images on the GUI via the application program.

14. As per claim 3, Prinzing teaches the image contains representations of buttons, list boxes and slide bars on which a pointer device can be directed by a user (e.g. col. 13 line 45-50).

15. As per claims 13-14, they are method claim of claim 2. Therefore, they are rejected for similar reasons as claims 2-3.

16. Claims 7 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewallen (6,675, 230) as applied to claims 1 and 12 above in view of Liang.

17. As per claim 7, Lewallen does not specifically teach the functionality lacked by the first API comprises support for Unicode font encoding and font searching capability.

Liang teaches the functionality lacked by the first API comprises support for Unicode font encoding and font searching capability (e.g. "Unicode" the last paragraph in section The JComponent Class page 169).

18. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lewallen with Liang because Liang's teaching of Unicode would improve the capability of Lewallen's system by adding the feature to support the character in the Unicode format.

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19. As per claim 18, it is a method claim of claim 7. Therefore, it is rejected for similar reasons as claim 7.

20. Claims 8-10 and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewallen (6,675,230) in view of Daniel Liang "Rapid Java Application Development using JUILDER 3" as applied to claims 1 and 12 above, and further in view of Stern (6,161,107).

21. As per claim 8, Lewallen and Liang do not specifically teach the functionality lacked by the first API further comprises the use of an advanced font rasterizer for the generation of high quality text.

Stern teaches the functionality lacked by the first API further comprises the use of an advanced font rasterizer for the generation of high quality text (e.g. col. 4 line 18-22).

22. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lewallen with Stern because Stern's teaching of raster font for generating the text data and images would improve Lewallen's system by using the digital raster format data and graphic image in high quality to store and to display.

23. As per claim 9, Liang teaches the functionality lacked by the first API further comprises enhanced text support, including popup menus (e.g. "JPopupMenu" in Figure 5.4 page 169) with cut and paste editing capability, and undo/redo editing (e.g. page 168 line 4-5).

24. As per claim 10, Prinzing teaches wherein the functionality lacked by the first API further comprises consistently proper menu bar behavior, independent of the operating system under which the application program is running (e.g. col.2 line 29-39).

25. As per claims 19-21, they are method claim of claims 8-10. Therefore, they are rejected for similar reasons as claims 8-10.

Conclusion

26. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Quaeler-Bock et al. (6,023,271) disclosed the method for framework and GUI for binding data manipulation with one to many objects through introspection.

Van Cruyningen (5,805,167) disclosed popup menu using direction gesture to enter data into and control a computer system.

Farrell et al. (6,269,475) disclosed the GUI receiving and implementing user modification of the code blocks.

Diedrich et al. (6064382) disclosed the method for providing a GUI for host-based software applications.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Loan B. Nguyen whose telephone number is (703) 305-0358. The examiner can normally be reached on 7:00 AM - 3:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng Ai An can be reached on (703) 305-9678.

The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Loan B. Nguyen
Examiner



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SUPERVISORY PATENT EXAMINER
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